

**KENTUCKY BOARD OF EDUCATION REPORT  
FOR THE  
SEPTEMBER 18, 2005 CPE MEETING**

**AUGUST 3-4, 2005, KBE MEETING**

The Kentucky Board of Education last met on August 3-4, 2005. Highlights of the meeting included:

➤ ***APPROVAL OF 702 KAR 6:090, MINIMUM NUTRITIONAL STANDARDS FOR FOODS AND BEVERAGES AVAILABLE ON PUBLIC SCHOOL CAMPUSES DURING THE SCHOOL DAY***

At its August 3-4, 2005, meeting, the Kentucky Board of Education (KBE) gave final approval to 702 KAR 6:090, Minimum Nutritional Standards for Foods and Beverages Available on Public School Campuses During the School Day. The amendments were made in response to the requirements of Senate Bill 172, passed by the 2005 General Assembly. The bill required that the KBE promulgate an administrative regulation specifying “the minimum nutritional standards for all foods and beverages that are sold outside the National School Breakfast and National School Lunch programs, whether in vending machines, school stores, canteens, or a la carte cafeteria sales.”

The regulation provisions affect breakfast and lunch periods, as well as the period of time between 30 minutes after lunch until the end of the last instructional period. Highlights of the regulation are as follows:

Beverages - For the time period beginning 30 minutes after the last lunch period until the last instructional period, only beverages meeting these nutritional standards can be sold:

- fluid unflavored or flavored milk that is no more than 1% milk fat;
- plain or flavored, non-caloric, non-carbonated water;
- 100% fruit or vegetable juice or any combination of both totaling 100%
- any other beverage that contains no more than ten (10) grams of sugar per serving, except this limit shall not apply to 100% fruit or vegetable juice or any combination of both equaling 100%;
- the volume size of a beverage does not exceed seventeen (17) ounces, except for plain or flavored, non-caloric, non-carbonated water.

Food - For the time period beginning 30 minutes after the last lunch period until the last instructional period, only food items meeting these standards can be sold:

- Calories from fat shall not exceed thirty (30%) percent, excluding nuts, seeds and nut butters. This shall be determined by dividing the calories from total fat by the total calories and multiplying by one hundred (100). If the calories from fat are not available, the grams of fat shall be multiplied by nine (9) to equal calories from fat;

- Calories from saturated fat shall not exceed ten (10%) percent. This shall be determined by dividing the calories from saturated fat by the total calories and multiplying by one hundred (100). If calories from saturated fat are not available, the grams of saturated fat shall be multiplied by nine (9) to equal calories from saturated fat;
- Calories from sugar shall not exceed thirty-two (32%) percent by weight. This shall be determined by dividing the grams of sugar by the gram weight of the product and multiplying by one hundred (100). This shall include both naturally occurring and added sugars. The grams of sugar shall not exceed fourteen (14) grams. This limit shall not apply to fresh, frozen, canned or dried fruits and vegetables.
- Chips, cereals, crackers, baked goods and other snack items shall not contain more than three hundred (300) milligrams of sodium per serving. Pastas, meats and soups shall not contain more than four hundred fifty (450) milligrams of sodium per serving. Pizza, sandwiches and main dishes shall not contain more than six hundred (600) milligrams of sodium per serving;
- The portion or pack size for chips, crackers, popcorn, cereal, trail mix, nuts, seeds or jerky shall not exceed two (2) ounces;
- The portion or pack size for cookies shall not exceed one (1) ounce;
- The portion or pack size for cereal bars, granola bars, pastries, muffins, doughnuts, bagels, and other bakery-type items shall not exceed two (2) ounces;
- The portion or pack size for non-frozen yogurt shall not exceed eight (8) ounces; and
- The portion or pack size for frozen dessert items, including low-fat or fat free ice cream, frozen fruit juice bars, and frozen real fruit items, shall not exceed four (4) ounces.

A la carte items - A food or beverage item offered for sale as an a la carte item on the cafeteria line during breakfast or lunch shall meet the following standards:

- A beverage shall meet the standards listed above.
- A food item shall meet the standards listed above, except schools may offer for a la carte sale any item that is creditable under the School Breakfast and National School Lunch Program meal pattern.

Also addressed in the regulation are local district reporting requirements on nutrition and physical activity.

#### ➤ **BOARD OFFICERS AND COMMITTEES DETERMINED FOR 2005-06**

As the result of a unanimous vote, the Kentucky Board of Education reelected Keith Travis of Benton as chair and Hilma Prather of Somerset as vice chair. Chair Travis also made the following committee appointments:

### ***Management Committee***

David Webb, Chair  
Jeff Mando, Vice Chair  
David Rhodes  
Janice Allen  
David Tachau

### ***Curriculum, Instruction and Assessment Committee***

Bonnie Lash Freeman, Chair  
Janna Vice, Vice Chair  
Hilma Prather  
Dorie Combs  
Helen Mountjoy  
Keith Travis

### ***Evaluation Appeals Panel***

Helen Mountjoy, Chair  
David Tachau  
David Webb

### ***Performance Judgment Appeals Panel***

David Webb, Chair  
Hilma Prather  
Keith Travis

### ***P-16 Council***

Dorie Combs, Chair  
Bonnie Lash Freeman  
David Rhodes

### ***KBE Audit Committee***

Janna Vice, Chair  
Helen Mountjoy  
Janice Allen

➤ ***BOARD UPDATED ON CORE CONTENT FOR ASSESSMENT REFINEMENTS***

Kentucky Department of Education (KDE) staff updated the Board on the status of clarifying, focusing and refining the *Core Content for Assessment* in preparation for the release of the Request for Proposals for the assessment and accountability system 2007 and beyond. Staff reported that *Core Content for Assessment, Version 4.0* will be the content on which students are assessed beginning in 2007, and indicated it will be posted immediately in draft form on KDE's website for teachers to access.

The Board was assured that KDE involved teachers, administrators, parents, higher education, the National Technical Panel on Assessment and Accountability, national experts and various advisory groups throughout the refinement process. KDE staff indicated crosswalk documents relating version 3.0 to version 4.0 have been developed to assist teachers with the transition to the new version. Additionally, staff noted that Achieve, Inc. is conducting an alignment analysis comparing Kentucky's standards documents for mathematics and English/language arts with Achieve's American Diploma Project Benchmarks. Commissioner Wilhoit emphasized that additional changes to the *Core Content for Assessment, Version 4.0* would occur to accommodate any gaps found by Achieve's analysis with the end goal being that Achieve will agree that alignment has occurred.

➤ ***STATE BOARD DISCUSSES ELIMINATION OF ACHIEVEMENT GAP***

At its August meeting, the Kentucky Board of Education had an intensive discussion on eliminating the achievement gap for all students including those with disabilities, limited English proficiency, disadvantaged, African Americans, males and state agency children. The overall concern expressed by the Board is that the gap is getting worse with the time for reaching proficiency by 2014 ticking away quickly.

The Board directed KDE staff to come back to them with a plan of specific measures to get tougher on those districts and schools not taking the elimination of the gap seriously. It was emphasized to staff that the Board feels a sense of urgency in positively impacting this serious problem.

**OCTOBER 5-6, 2005, KBE MEETING**

The Kentucky Board of Education will next meet on October 5-6, 2005. Items of interest on the agenda include:

- 2006 KBE Legislative Agenda
- Kentucky Department of Education Budget Request
- Discussion of the Business Forum on Kentucky Education's Report
- Dialogue with Governor Fletcher
- Discussion/recommendations on interventions in low-performing/achievement gap schools

- Refocusing secondary education: high school graduation requirements, proposed changes to the Commonwealth Diploma and proposed changes to the pupil attendance regulation to align funding policy to facilitate secondary school reform
- Systems approach to solving problems with the writing portfolio
- KEES Revisions